

Message Text

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SUBJECT: TRIAL OF APRIL 21 COUP LEADERS

REF: ATHENS 2493

1. SUMMARY. JUCICIAL AUTHORITIES HAVE ALL BUT FINALLY AGREED TO DROP HIGH TREASON CHARGES AGAINST THE GREAT MAJORITY OF THOSE WHO HELD HIGH-LEVEL OFFICIAL POSITIONS DURING THE SEVEN-YEAR DICTATORSHIP AND TO CONCENTRATE ON THE TRIAL OF TWENTY-TWO FORMER MILITARY OFFICERS WHO WERE THE RING LEADERS OF THE APRIL 21 COUP. END SUMMARY.

2. JUDGE POTAMIANOS, WHO FOR SEVERAL WEEKS HAS BEEN INVESTIGATING CHARGES BROUGHT IN TWO PRIVATE SUITS AGAINST 126 FORMER HIGH LEVEL GREEK OFFICIALS, HAS RECOMMENDED THAT TREASON CHARGES NOT BE PURSUED BY THE COMPETENT COURT OF APPEALS AGAINST 104 OF THE DEFENDANTS. HIS PRINCIPAL ARGUMENT IS THAT THE ACT OF HIGH TREASON OCCURRED ON APRIL 21, 1967, AND THOSE WHO SUBSEQUENTLY SERVED THE JUNTA AS MINISTERS, UNDERMINISTERS AND IN OTHER HIGH-LEVEL OFFICIAL CAPACITIES, ARE NOT GUILTY OF TREASON. HIS RECOMMENDATION CAME ON THE HEELS OF A FORMAL MOVE, BY THE PROSECUTING ATTORNEY OF THE COURT, CHARGING WITH TREASON ONLY TWENTY-TWO PERSONS, ALL OF

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WHOM WERE OFFICERS WHO WERE INVOLVED WITH TROOP

MOVEMENTS ON APRIL 21 AND ASSOCIATED WITH THE REVOLUTIONARY MILITARY COUNCIL WHICH TOOK OVER GOVERNMENT OF THE COUNTRY FOLLOWING THE COUP. THE FULL COURT COULD STILL OVERRULE THESE RECOMMENDATIONS, BUT IT IS UNLIKELY TO DO SO.

3. THE TWENTY-TWO DEFENDANTS AGAINST WHOM CHARGES REMAIN ON FILE AND WHOSE TRIAL WILL BEGIN AT THE CONVENIENCE OF THE GOG-PROBABLY NOT EARLIER THAN THIS SUMMER AND, ACCORDING TO PRESS SPECULATION, PROBABLY NOT BEFORE THE AUTUMN - INCLUDE THE TWELVE FORMER OFFICERS (PAPADOPOULOS, PATTAKOS ET AL) NOW DETAINED AT KORYDALLOS PRISON, SEVERAL WHO ARE IN OTHER PRISONS ON RELATED CHARGES OF TORTURE, AND SEVERAL, LIKE FORMER GENERAL SPANDIDAKIS, WHO ARE STILL AT LIBERTY. TWO OF THE ARRAIGNED DEFENDANTS, ASLANIDIS AND KOTSELIS, ARE IN HIDING. ALL THE CIVILIANS AGAINST WHOM CHARGES HAVE BEEN PENDING SINCE PRIVATE SUITS WERE BROUGHT IN EARLY MARCH ARE CIRCULATING FREELY; SEVERAL HAVE GONE ABROAD TO WORK.

4. MINISTER TO THE PM RALLIS IN ANSWER TO A QUESTION AT THE FOREIGN PRESS ASSOCIATION LUNCHEON ON APRIL 23 SAID THE GOG REMAINS INTERESTED IN VIGOROUSLY PURSUING CRIMINAL CHARGES AGAINST ANY GREEK CITIZEN WHO IT CAN BE DEMONSTRATED MADE UNFAIR GAINS FROM HIS OFFICIAL POSITION THROUGH SLANDER OF OTHERS. HE NOTED DRILY, HOWEVER, THAT NEITHER HE NOR ANYONE ELSE HE COULD THINK OF HAD ELECTED DURING THE JUNTA ERA "TO DIE OF HUNGER AS AN ACT OF RESISTANCE" AND THE GOG DID NOT THINK IT FAIR TO CUT A BROAD PATH OF PROSECUTION THROUGH THE RANKS OF CIVIL SERVANTS WHO REMAINED ON THEIR JOBS UNDER DIFFICULT CIRCUMSTANCES.

5. COMMENT: A HEAVY CLOUD IS ABOUT TO BE LIFTED FROM MORE THAN ONE HUNDRED SENIOR SERVANTS OF THE JUNTA, BUT THEY MAY NOT GO COMPLETELY UNSCATHED. THE PROSPECT OF PROSECUTION STILL EXISTS FOR SOME OF THE FORMER JUNTA OFFICIALS FOR CORRUPTION, FRAUD, AND ON OTHER GROUNDS LESS HEINOUS THAN HIGH TREASON. KUBISCH

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